

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

SCOTT GUILFOYLE,	§	
	§	
	§	
	§	
V.	§	Civil Case No. 1:23-CV-00240-DAE
LIBERTY INSURANCE COMPANY,	§	
	§	
	§	
<i>Plaintiff,</i>	§	
	§	
	§	
	§	
<i>Defendant.</i>	§	
	§	

PLAINTIFF'S DESIGNATION OF EXPERT WITNESSES

To: Defendant, Liberty Insurance Company, by and through its counsel of record, Catherine L. Hanna and Karla Y. Huertas, HANNA & PLAUT, L.L.P., 211 East Seventh Street, Suite 600, Austin, Texas 78701.

Comes Now SCOTT GUILFOYLE, Plaintiff in the above-styled and numbered cause, and submits this Designation of Expert witnesses.

Plaintiff hereby designates the following experts who may be called to testify at trial:

1. Michael Ogden

c/o The Hodge Law Firm, PLLC
1301 Market Street
Galveston, Texas 77550
Telephone: (409) 762-5000
Facsimile: (409) 763-2300
Email: mcooper@hodgefirm.com
Email: shodge@hodgefirm.com

Mr. Ogden is a claims adjuster who has factual and/or expert knowledge of the extent and nature of the damages to the Plaintiff's property. The witness has inspected the subject property and will testify about his factual observations, opinions, and conclusions regarding the subject property. The witness also has factual and/or expert knowledge as to the proper means, method, and cost of repairing, replacing, or correcting the damages caused to the Plaintiff's property as well as general commercial construction practices and procedures and cost

estimation. The witness also has factual and/or expert knowledge of the extent and nature of the damages to the Plaintiff's property and the causes of those damages. The witness will also testify to the particulars of the adjusting process and will testify for Plaintiff that his estimate is valid and proper and should be paid by Defendant. A copy of Mr. Ogden's expert report including estimate and photo reports, current curriculum vitae, and testimonial history are attached hereto as Exhibit A.

2. Shaun Hodge

The Hodge Law Firm, PLLC
1301 Market Street
Galveston, Texas 77550
Phone: (409) 762-5000
Fax: (409) 763-2300
Email: shodge@hodgefirm.com

The above witness is an attorney who will testify as to the reasonable and necessary attorney's fees and expenses and time expended in handling and prosecuting this case. Witness will testify as to the nature and extent of the attorney's services performed in this case and as to the nature and degree of skill and knowledge required to render the legal services. Witness will also testify as to the reasonableness of the hourly rate charged for legal services and as to the reasonable hourly rate charged by other attorneys in the area for same or similar work. Witness will also testify as to his credentials, resume and experience in the legal profession and his experience in handling similar legal matters and issues. A copy of Shaun Hodge's current curriculum vitae is attached hereto as Exhibit B.

Plaintiff reserves the right to supplement and/or amend these responses in accordance with the Federal Rules of Civil Procedure and/or Scheduling Order entered in this case. Plaintiff further reserves the right to withdraw the designation of any expert witness and to affirm that such previously designated expert will not be called as an expert witness at trial. Plaintiff also reserves the right to cross examine, elicit testimony and opinions, and/or call as a witness, live or by deposition, any expert witnesses designated by the Defendant. Plaintiff does not affirm or attest to the qualifications of such experts to render any particular opinion or the accuracy or veracity of any opinion expressed by Defendant's expert witnesses. Plaintiff reserves the right to seek to

exclude any such experts designated by Defendant from testifying at trial and/or the right to object to the proffer of any opinion by such experts designated by Defendant. Finally, Plaintiff reserves the right to designate and to call expert witnesses to provide rebuttal testimony, the exact nature of which cannot currently be anticipated.

Respectfully submitted,

By: /s/ Michael E. Cooper

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ATTORNEYS FOR PLAINTIFF
SCOTT GUILFOYLE

CERTIFICATE OF SERVICE

I hereby certify that I electronically submitted the foregoing, which was served upon all counsel of record using the electronic case filing system of this Court on this, 16th day of October, 2023, to:

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**ATTORNEYS FOR DEFENDANT
LIBERTY INSURANCE COMPANY**

By: /s/ Michael E. Cooper
Michael E. Cooper